

# COPY

## COMBINED DECLARATION AND POWER OF ATTORNEY

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship is as stated below next to my name(s). I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

### METHOD AND APPARATUS FOR SELLING AN AGING FOOD PRODUCT

the specification of which (check one)

- ☒ is attached hereto; or  
was filed on May 22, 1998 as application serial no. 09/083,483 and was amended on \_\_\_\_\_ (if applicable); or  
☐ was described and claimed in international application no. \_\_\_\_\_ filed on \_\_\_\_\_ and as amended on \_\_\_\_\_ (if applicable).

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above, and that it contains a full, clear, concise and exact description of the subject matter for which a patent is sought.

I acknowledge the duty to disclose information which is material to the examination of this application in accordance with Title 37, Code of Federal Regulations, § 1.56(a).

### Prior Application(s)

☐ (Check if applicable) I hereby claim foreign priority benefits under Title 35, United States Code § 119, by checking the box(es) below, any foreign application(s) for patent or inventor's certificate, or PCT International application having a filing date before that of the application on which priority is claimed:

#### Prior Foreign Application(s)

			Priority Claimed?
			<input type="checkbox"/> yes <input type="checkbox"/> no
_____ (Number)	_____ (Country)	_____ (Day/month/year filed)	
_____ (Number)	_____ (Country)	_____ (Day/month/year filed)	<input type="checkbox"/> yes <input type="checkbox"/> no

☒ (Check if applicable) I hereby claim the benefit under Title 35, United States Code § 120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code § 112, I acknowledge the duty to disclose material information as defined in the Title 37, Code of Federal Regulations § 1.56(a) which occurred between the filing date of the prior application and the national or PCT international filing date of the application:

#### Prior U.S. Application(s)

<u>08/920,116</u> (Application Number)	<u>26 August 1997</u> (Day/month/year filed)	<u>Pending</u> (Status - Issued, pending, abandoned)
<u>08/822,709</u> (Application Number)	<u>21 March 1997</u> (Day/month/year filed)	<u>Pending</u> (Status - Issued, pending, abandoned)

☒ (Check if applicable) In this continuation-in-part application, insofar as the subject matter of any of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code § 112, I acknowledge the duty to disclose material information as defined in the Title 37, Code of Federal Regulations § 1.56(a) which occurred between the filing date of the prior application and the national or PCT international filing date of the application.

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I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge and the like so made are punishable by fine or imprisonment, or both under § 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

I hereby appoint Jeffrey L. Brandt - Reg. No. 31,490, Robert R. Lech - Reg. No. 37,169 and Dean Alderucci - Reg. No. 40,484 as my attorneys and Charles A. Rattner - Reg. No. 40,136 as patent agent, all of Walker Digital Corporation, whose address is Five High Ridge Park, Stamford, Connecticut 06905-1326 with full power of substitution and revocation, to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith.

Please address all written correspondence to:

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Wherefore I pray that Letters Patent be granted to me for the invention or discovery described and claimed in the foregoing specification and claims, and I hereby subscribe my name to the foregoing specification and claims, declaration, power of attorney, and this petition.

**Full name of sole or first inventor:** Jay S. WALKER

Residence: 124 Spectacle Lane, Ridgefield, CT 06877

Post Office Address: same as above

Citizenship: U.S.A.

Inventor's signature

Date July 15, 1998

**Full name of second inventor:** Andrew S. VAN LUCHENE

Residence: 13-2a Clarmore Drive, Norwalk, CT 06850

Post Office Address: same as above

Citizenship: U.S.A.

Inventor's signature

Date July 15, 1998

**Full name of third inventor:** Jonathan OTTO

Residence: 641 Fifth Avenue, Apt. 49F, New York, NY 10022

Post Office Address: same as above

Citizenship: U.S.A.

Inventor's signature

Date July 15, 1998

**Full name of fourth inventor:** Daniel E. TEDESCO

Residence: 192 Park Street, Apt. 6, New Canaan, CT 06840

Post Office Address: same as above

Citizenship: U.S.A.

Inventor's signature

Date July 15, 1998

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**Associate Power Of Attorney Or Agent (37 CFR 1.34)  
(For Representation Related To A Patent Application)**

Docket No.  
**01-015**

In Re Application Of:

**WALKER et al.**

Serial No.  
**Not Yet Assigned**

Filing Date  
**May 16, 2001**

Examiner  
**Not Yet Assigned**

Group Art Unit  
**Not Yet Assigned**

Invention:

**METHOD AND APPARATUS FOR SELLING AN AGING FOOD PRODUCT**

**TO THE ASSISTANT COMMISSIONER FOR PATENTS:**

Please recognize the following as ☐ Associate Attorney ☒ Associate Agent in this application.

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*Registration Number & Address of Principal Attorney or Agent of Record*

Dated: **May 15, 2001**

I certify that this document is being deposited on  
**May 16, 2001** with the U.S. Postal Service as first  
class mail under 37 C.F.R. 1.8 and is addressed to the  
Assistant Commissioner for Patents, Washington, D.C.  
20231.



*Signature of Person Mailing Correspondence*

**Veronika S. Leliever**

*Typed or Printed Name of Person Mailing Correspondence*